

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

**ARIAD PHARMACEUTICALS, INC.,
MASSACHUSETTS INSTITUTE OF
TECHNOLOGY, THE WHITEHEAD
INSTITUTE FOR BIOMEDICAL
RESEARCH, and THE PRESIDENT
AND FELLOWS OF HARVARD COLLEGE**

Plaintiffs,

v.

ELI LILLY AND COMPANY,

Defendant.

Civil Action No. 02 CV 11280

**U.S. District Judge
Rya W. Zobel**

**MEMORANDUM IN SUPPORT OF DEFENDANT ELI LILLY AND
COMPANY'S MOTION FOR SUMMARY JUDGMENT OF
INVALIDITY UNDER 35 U.S.C. §§ 101 AND 112, FIRST PARAGRAPH**

**FILED UNDER SEAL PURSUANT TO PARTIES'
STIPULATED PROTECTIVE ORDER**